

# United States Senate

WASHINGTON, DC 20510

September 5, 2018

The Honorable John C. Demers  
Assistant Attorney General  
National Security Division  
Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Assistant Attorney General Demers:

We write regarding public reports that suggest the President's personal attorney, Mr. Rudolph Giuliani, has conducted a number of political and public relations activities on behalf of foreign entities that implicate registration requirements of the Foreign Agents Registration Act (FARA).<sup>1</sup> Given these reports regarding Mr. Giuliani's work on behalf of foreign governments and interests, we request that the Department of Justice review whether he is in compliance with FARA, including whether he has an obligation to register any undisclosed political activities, has any delinquent filings, or has any deficiencies or abnormalities in his registration statements.

FARA generally requires individuals working to influence U.S. government officials or the public on behalf of a foreign entity to register that activity with the Department.<sup>2</sup> The Act defines political activities that require registration as "any activity that the person engaging in believes will in any way influence any agency or official of the Government of the United States."<sup>3</sup> However, FARA also covers any type of public relations directly or indirectly on behalf of a foreign principal, as well as any advising on the domestic or foreign policies of the United States.<sup>4</sup>

Mr. Giuliani's numerous foreign clients and ongoing communications with senior U.S. government officials raise significant concerns. Mr. Giuliani reportedly receives compensation from: the Party of Regions in Ukraine, the Mujahedin-e-Khalq (MEK), as well as unnamed clients in Colombia and Brazil.<sup>5</sup> Press releases on Mr. Giuliani's security company's website describe additional work on behalf of the governments of Chile, Dominica, Uruguay, the Dominican Republic, and El Salvador.<sup>6</sup>

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<sup>1</sup> 22 U.S.C. § 611.

<sup>2</sup> *Id.*

<sup>3</sup> 22 U.S.C. § 611(o).

<sup>4</sup> 22 U.S.C. §§ 611(g) and (p).

<sup>5</sup> Josh Dawsey et al., *Giuliani Works for Foreign Clients While Serving as Trump's Attorney*, WASH. POST, Jul. 10, 2018, [https://www.washingtonpost.com/politics/giuliani-works-for-foreign-clients-while-serving-as-trumps-attorney/2018/07/09/e21554ae-7988-11e8-80be-6d32e182a3bc\\_story.html?utm\\_term=.7807adb4ae32](https://www.washingtonpost.com/politics/giuliani-works-for-foreign-clients-while-serving-as-trumps-attorney/2018/07/09/e21554ae-7988-11e8-80be-6d32e182a3bc_story.html?utm_term=.7807adb4ae32)

<sup>6</sup> See e.g., Press Release, Giuliani Security & Safety, Luis Abinader Promises to Make Public Safety a Priority; Welcome's Giuliani's Plan (on file with author); Press Release, Giuliani Security & Safety, Rudy Giuliani States that the Keys to Combating Crime: "the Police Should Feel It Has Political Support," (on file with author) (last accessed July 19, 2018).

As President Trump's personal attorney, Mr. Giuliani communicates in private with the President and his senior staff on a regular basis. Without further review, it is impossible to know whether Mr. Giuliani is lobbying U.S. government officials on behalf of his foreign clients.

Mr. Giuliani's public activities have also raised FARA concerns. For example, Mr. Giuliani's participation in the MEK's lobbying effort to be removed from the U.S. State Department's Foreign Terrorist Organization list is well-documented.<sup>7</sup> In nearly every article describing the group's lobbying effort, Mr. Giuliani's name, quotes, and public remarks are used as evidence of the effort's credibility.<sup>8</sup> Mr. Giuliani also regularly advocates for regime change in Iran, which is one of MEK's top objectives.<sup>9</sup> Given Mr. Giuliani's receipt of significant payment from the MEK and simultaneous advocacy on behalf of that group and its objectives, his actions may require registration under FARA.

Additionally, Mr. Giuliani's work on behalf the city of Kharkiv, Ukraine, whose mayor is a member of the Party of Regions is also concerning.<sup>10</sup> The Ukrainian Party of Regions' connections to the Russian Government and anti-democratic activity are well-documented.<sup>11</sup> Paul Manafort and Rick Gates, who both served in senior roles on the President's 2016 campaign team, were convicted of or pleaded guilty to criminal acts in part because of their work on behalf of this Russian-backed Ukrainian political party. Mr. Giuliani's financial connection to the organization, the organization's close ties with the Russian government, and Mr. Giuliani's ongoing public advocacy against Special Counsel Robert Mueller's investigation of Russian interference in the 2016 election raises further questions that warrant review.

Most recently, it has come to light that Mr. Giuliani was paid for sending a letter in August of 2018 to the President of Romania criticizing that nation's anti-corruption program on behalf of a global firm that reportedly has a wealthy Romanian citizen as a client.<sup>12</sup> Mr. Giuliani's letter advocates for a position that is in contradiction of the U.S. State Department's position on the

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<sup>7</sup> See e.g., Scott Shane, *For Obscure Iranian Exile Group, Broad Support in U.S.*, NY TIMES, Nov. 26, 2011, <https://www.nytimes.com/2011/11/27/us/politics/lobbying-support-for-iranian-exile-group-crosses-party-lines.html>; Elizabeth Rubin, Opinion, *An Iranian Cult and Its American Friends*, NY TIMES, Nov. Aug. 13, 2011, <https://www.nytimes.com/2011/08/14/opinion/sunday/an-iranian-cult-and-its-american-friends.html>; Elizabeth Flock, *Iranian Terrorist Group M.E.K. Pays Big to Make History Go Away*, U.S. NEWS & WORLD REPORT, Jul. 6, 2012, <https://www.usnews.com/news/articles/2012/07/06/iranian-terrorist-group-mek-pays-big-to-make-history-go-away-iranian-group-mek-lobbies-hard-pledges-peace-as-it-pleads-case-to-be-delisted-de-listening-terror-group-pays-to-make-history-go-awayseries>; Daniel Benjamin, *Giuliani Took Money From a Group that Killed Americans. Does Trump Care?*, POLITICO MAG., Nov. 23, 2016, <https://www.politico.com/magazine/story/2016/11/giuliani-mek-terrorist-group-money-bolton-iran-214479>.

<sup>8</sup> *Id.*

<sup>9</sup> Ishaan Tharoor, *Is Regime Change in Iran Part of Trump's Agenda?*, WASH. POST, May 7, 2018, [https://www.washingtonpost.com/news/worldviews/wp/2018/05/07/is-regime-change-in-iran-part-of-trumps-agenda/?utm\\_term=.7c4fb8a0eaca](https://www.washingtonpost.com/news/worldviews/wp/2018/05/07/is-regime-change-in-iran-part-of-trumps-agenda/?utm_term=.7c4fb8a0eaca).

<sup>10</sup> Josh Dawsey et al., *Giuliani Works for Foreign Clients While Serving as Trump's Attorney*, WASH. POST, Jul. 10, 2018, [https://www.washingtonpost.com/politics/giuliani-works-for-foreign-clients-while-serving-as-trumps-attorney/2018/07/09/e21554ae-7988-11e8-80be-6d32e182a3bc\\_story.html?utm\\_term=.7807adb4ae32](https://www.washingtonpost.com/politics/giuliani-works-for-foreign-clients-while-serving-as-trumps-attorney/2018/07/09/e21554ae-7988-11e8-80be-6d32e182a3bc_story.html?utm_term=.7807adb4ae32).

<sup>11</sup> Simon Shuster, *How Paul Manafort Helped Elect Russia's Man in Ukraine*, TIME, Oct. 31, 2017, <http://time.com/5003623/paul-manafort-mueller-indictment-ukraine-russia/>.

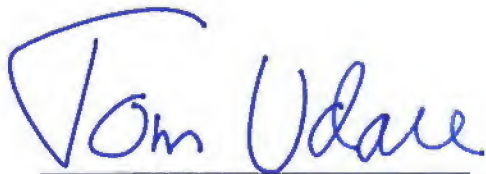
<sup>12</sup> Kit Gillet, *Rudolph Giuliani Criticizes an Anticorruption Crackdown in Romania*, NY TIMES, Aug. 29, 2018, <https://www.nytimes.com/2018/08/29/world/europe/giuliani-romania-corruption.html>.

matter. This activity raises both the question of whether Mr. Giuliani may have attempted to influence U.S. policy and what the U.S. government's true position is, given his role as the President's personal attorney and public spokesman.

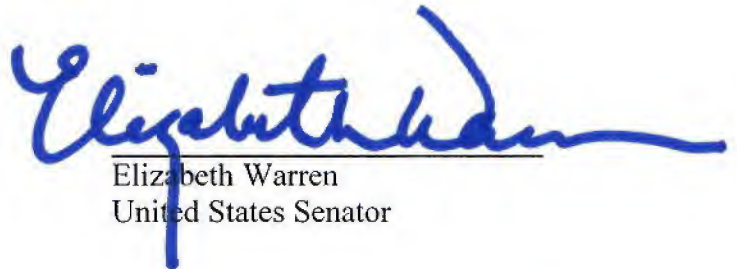
The purpose of FARA is to ensure the American public can make informed judgments about the political activities of foreign agents in the U.S. We appreciate the recent efforts by the Department to ensure better compliance with FARA, and as is the long-standing practice of the Department of Justice, this law should be applied without regard to political association, activities, or beliefs.

Given Mr. Giuliani's ongoing relationships with foreign governments as well as his concurrent representation of the President, we hope you will agree this situation merits immediate review.

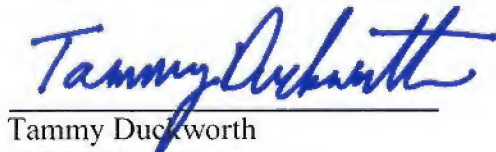
Sincerely,



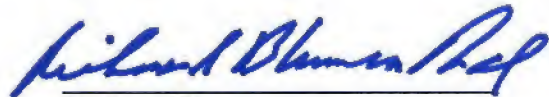
Tom Udall  
United States Senator



Elizabeth Warren  
United States Senator



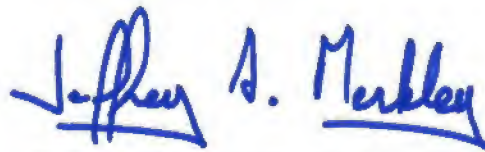
Tammy Duckworth  
United States Senator



Richard Blumenthal  
United States Senator



Sheldon Whitehouse  
United States Senator



Jeffrey A. Merkley  
United States Senator



Richard J. Durbin  
United States Senator